

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC  
SERVICE COMMISSION HELD IN ITS OFFICES ON OCTOBER 31, 2012

Commission Chairman John D. Quackenbush called the meeting to order at 1:31 p.m.  
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

**PRESENT**

Commission: John D. Quackenbush, Chairman  
Orjiakor N. Isiogu, Commissioner  
Greg R. White, Commissioner

Staff: Blair Renfro  
Judy Palnau  
Mary Jo Kunkle  
Dan Blair  
Lisa Felice  
Catherine Howery  
Sharron Allen  
Patrick Hudson  
Tayler Becker  
Lori Mayabb  
Jennie Kahn-Jacques  
Paul Proudfoot

Public: Bev Roberts, Consumers Energy  
Karen Wienke, Consumers Energy  
Jim Padgett, DTE Energy  
Suzy Westmoreland, MEGA  
Kwafo Adarkwa, ITC Holdings  
Robin Gleason, AT&T  
Tim Hoffman, Consumers Energy

- I.** Commissioner Isiogu moved to approve today's agenda, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The agenda was approved.

- II.** Commissioner Isiogu moved to approve the minutes of the Regular Commission Meeting of October 11, 2012, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The minutes were approved.

### **III. ORDERS**

#### **A. COMMUNICATIONS**

1. U-11830 AMERITECH MICHIGAN  
(performance measures)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which relates to the performance measures and remedy plan for AT&T Michigan's provision of interconnection services to competitive local exchange carriers. The order before you extends the effective dates of the performance measures and remedy plan currently in effect through December 31, 2014, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

2. U-14198 BARAGA TELEPHONE COMPANY AND VERIZON WIRELESS  
U-14786 UPPER PENINSULA TELEPHONE COMPANY AND NEW-CELL, INC.  
U-14889 WINN TELEPHONE COMPANY AND VERIZON WIRELESS  
U-14944 BLANCHARD TELEPHONE COMPANY AND VERIZON WIRELESS  
U-14945 ALLENDALE TELEPHONE COMPANY AND VERIZON WIRELESS  
U-14946 CARR TELEPHONE COMPANY AND VERIZON WIRELESS  
U-15512 BLOOMINGDALE TELEPHONE COMPANY AND VERIZON WIRELESS  
U-15539 SPRINGPORT TELEPHONE COMPANY AND VERIZON WIRELESS  
U-15797 CHAPIN TELEPHONE COMPANY AND VERIZON WIRELESS  
U-16371 ACE TELEPHONE COMPANY OF MICHIGAN, INC., AND VERIZON WIRELESS  
U-16373 DEERFIELD FARMERS' TELEPHONE COMPANY AND VERIZON WIRELESS  
U-16374 KALEVA TELEPHONE COMPANY AND VERIZON WIRELESS  
U-16375 LENNON TELEPHONE COMPANY AND VERIZON WIRELESS  
U-16376 OGDEN TELEPHONE COMPANY AND VERIZON WIRELESS  
U-16377 PIGEON TELEPHONE COMPANY AND VERIZON WIRELESS

U-16378	WALDRON TELEPHONE COMPANY AND VERIZON WIRELESS
U-16508	CHIPPEWA COUNTY TELEPHONE COMPANY AND VERIZON WIRELESS
U-16509	HIAWATHA TELEPHONE COMPANY AND VERIZON WIRELESS
U-16510	MIDWAY TELEPHONE COMPANY AND VERIZON WIRELESS
U-16511	ONTONAGON COUNTY TELEPHONE COMPANY AND VERIZON WIRELESS
U-16524	CLIMAX TELEPHONE COMPANY AND VERIZON WIRELESS
U-16793	SOUTHWEST MICHIGAN COMMUNICATIONS, INC., AND VERIZON WIRELESS
U-17143	NEW HORIZONS COMMUNICATIONS CORP. AND AT&T MICHIGAN

(interconnection agreements and amendments)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which requests Commission approval of interconnection agreements and amendments. The order before you approves the requests, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

3. U-16183 COMMISSION’S OWN MOTION  
(ARM surcharge)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which is a proceeding commenced on the Commission’s own motion to provide guidance and direction to telecommunications providers regarding the implementation of 2009 PA 182. The order before you notes the excess funding of the restructuring mechanism due to the current contribution rate and directs the Commission Staff to update the online form to reflect the Commission’s determination in this order to decrease that rate to 0.320% beginning with the January 13, 2013 contributions, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

4. U-17065 COMMISSION'S OWN MOTION  
(rulemaking)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves promulgation of rules for the provision of unbundled network elements and local interconnection. The order before you approves the rules for submission to the Legislative Service Bureau and the Office of Regulatory Reform for their formal approvals, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

5. U-17070 CITY OF HOLLAND v COMCAST OF MICHIGAN

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves a complaint filed by the City of Holland under the Uniform Video Services Local Franchise Act. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

6. U-17121 SANDRA HILKERT v AT&T

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves a complaint filed by Sandra Hilkert against AT&T Michigan. The order before you dismisses the complaint, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

**B. ELECTRIC**

1. U-16287 THE DETROIT EDISON COMPANY  
(meter waiver)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by The Detroit Edison Company for approval of a temporary waiver of portions of Rule 460.3613, which governs electric meter testing. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

2. U-16340 HOMEWORKS TRI-COUNTY ELECTRIC COOPERATIVE  
(close docket)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves the Commission's own motion regarding the regulatory reviews, revisions, determinations, and/or approvals necessary to comply with Public Acts 286 and 295 of 2008. The order before you closes the docket in this matter, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

3. U-16406 THE DETROIT EDISON COMPANY  
(tariff amendment)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by The Detroit Edison Company for approval of an amendment to its experimental electric vehicle tariff to extend the availability of the electric vehicle supply equipment option through December 31, 2014 and continue the associated deferred accounting authority. The order before you grants the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

4. U-16433-R INDIANA MICHIGAN POWER COMPANY  
(’11 PSCR reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Indiana Michigan Power Company requesting approval of its power supply cost recovery reconciliation for the 12-month period ended December 31, 2011. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

5. U-16582 THE DETROIT EDISON COMPANY  
(Act 295 contract)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by The Detroit Edison Company for approval of a long-term, 20-year renewable energy contract with Tuscola Wind II, LLC. The order before you approves the contract as in compliance with Public Act 295 of 2008, subject to final approval of the transfer and capacity prices in Case No. U-16656, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

6. U-16625 NILES UTILITIES DEPARTMENT  
U-16627 VILLAGE OF PAW PAW  
U-16631 SOUTH HAVEN DEPARTMENT OF PUBLIC WORKS  
U-16637 CITY OF WAKEFIELD  
(deadline extension request)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves motions to extend the filing deadlines for renewable energy plan annual reports. The order before you grants the motions, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

7. U-16659 NORTHERN STATES POWER COMPANY  
(’11 REP reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Northern States Power Company for authority to reconcile the expenses and revenues associated with its renewable energy plan for the period ended December 31, 2011. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

8. U-16660 UPPER PENINSULA POWER COMPANY  
(’11 REP reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Upper Peninsula Power Company for authority to reconcile its renewable energy revenues and expenses associated with its renewable energy plan for the 12-month period ended December 31, 2011. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

9. U-16661 WISCONSIN PUBLIC SERVICE CORPORATION  
(’11 REP reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Wisconsin Public Service Corporation for authority to reconcile its renewable energy revenues and expenses for 2011. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

10. U-16737 THE DETROIT EDISON COMPANY  
(EOP reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by The Detroit Edison Company for authority to reconcile its 2011 energy optimization plan revenues and expenses. The order before you approves a settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

11. U-16830 WISCONSIN ELECTRIC POWER COMPANY  
(rehearing)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves a request by Wisconsin Electric Power Company to increase its rates for the sale and distribution of electric energy and other relief. The order before you denies the petitions for rehearing, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

12. U-16973 EDWARD HEIKE v PRESQUE ISLE ELECTRIC & GAS CO-OP

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves a complaint by Edward Heike against Presque Isle Electric & Gas Co-op. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None



The order was adopted.

13. U-16988 CONSUMERS ENERGY COMPANY  
( '11 RDM reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application filed by Consumers Energy Company for reconciliation of a revenue decoupling mechanism. The order before you dismisses the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

14. U-17043 CONSUMERS ENERGY COMPANY  
(VHWF reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Consumers Energy Company for approval of its reconciliation of amounts collected for the Vulnerable Household Warmth Fund. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

15. U-17055 THE DETROIT EDISON COMPANY  
(optional tariffs)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application filed by The Detroit Edison Company seeking approval for optional tariffs to be made available under the utility's overhead extension policy. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

16. U-17088 DETROIT THERMAL, LLC  
(steam sales agreement)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application filed by Detroit Thermal, LLC, for *ex parte* approval of a steam sales agreement. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

17. U-17102 COMMISSION’S OWN MOTION  
(data privacy)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves customer privacy with respect to information and collected by Michigan electric utilities. The order before you directs Consumers Energy Company and The Detroit Edison Company to provide comments on a proposed framework for a policy protecting customer information privacy, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

18. U-17147 CONSUMERS ENERGY COMPANY  
(tariff revision)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application filed by Consumers Energy Company seeking approval of optional tariffs to be made available under the utility’s tariffs governing contributions in aid of construction for extraordinary facilities. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

**C. GAS**

1. U-17038 CONSUMERS ENERGY COMPANY  
(VHWF reconciliation)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Consumers Energy Company for approval of its reconciliation of amounts collected for the Vulnerable Household Warmth Fund. The order before you approves the application and authorizes the company to provide a refund to customers, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

2. U-17127 SOUTHERN MICHIGAN PIPELINE LLC  
(pipeline)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Southern Michigan Pipeline LLC to construct and operate the Southern Michigan Pipeline in Hillsdale, Lenawee, and Monroe counties. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

3. U-17129 WASHINGTON 10 STORAGE CORPORATION  
(tariff revisions)

Commissioner Isiogu moved that the Commission adopt and issue order dated October 31, 2012 which involves an application by Washington 10 Storage Corporation requesting approval of certain tariff revisions. The order before you approves the application, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The order was adopted.

#### **IV. PUBLIC COMMENTS**

There were no public comments.

Chairman Quackenbush announced that the next regularly scheduled Commission Meeting will be held on November 16, 2012 at 8:30 a.m.

Commissioner Isiogu moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Quackenbush, Isiogu, White  
Nays – None

The motion was approved.

The meeting adjourned at 1:50 p.m.

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Mary Jo Kunkle  
Executive Secretary